

REMARKS/ARGUMENTS

Claims 7-29, 33-37, 43, 55, 56, 59-63, 67, 71-79, 81-87, 92-95 and 117, 118, 120-129 are currently under consideration. Applicants note with appreciation that claims 67, 71-79, 81-87, 92-95, 123-125, 128 and 129 have been allowed. For the remaining claims under consideration, Applicants respectfully request reconsideration in view of the following remarks.

Claims 7-29, 33-37, 43, 55, 56, 59-63, 117, 118, 120-122, 126 and 127 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Examiner alleged that the deletion of the limitation “in a manner where neither cytotoxic nor immunological mechanisms are needed for said killing” from claims 22-24, 26, 28 and 126 makes these claims read on immunotoxins and radio labeled antibodies, and lack support in the specification as filed. Applicants respectfully traverse and submit that claims 22-24, 26, 28 and 126, as composition claims, are already limited to antibodies containing specific sequences. The manner of how these antibodies kill cells is an inherent characteristic and is therefore unnecessary to be included as a claim limitation. The claim limitation at issue was present in the original independent claims 1-6 (now cancelled) because these claims were not limited to specific antibodies. Applicants note with appreciation that, in the telephonic interview with the Examiner on May 10, 2005, the Examiner agreed with Applicants’ position that the deletion of the claim limitation at issue from claims 22-24, 26, 28 and 126 is proper and the pending claims are now in condition for allowance. Accordingly, withdrawal of the rejections is respectfully requested.

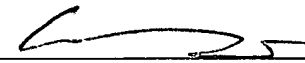
CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner is invited to contact the undersigned at 617-951-7000. If an extension is required, Applicants' attorney respectfully requests that such extension be granted and any fee required be charged to Deposit Account No. 18-1945, Order No. GPCG-P01-003.

Respectfully Submitted,

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